

# EXHIBIT 3

**Lisa N. Himes**

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**From:** ice-foia@dhs.gov  
**Sent:** Tuesday, May 1, 2018 1:41 PM  
**To:** Lisa N. Himes  
**Subject:** ICE FOIA Request 2018-ICFO-31995  
**Attachments:** ICE Advanced Payment of Fees1.Docx

May 01, 2018

Lisa Himes  
Rogers Joseph O'Donnel, P.C.  
875 15th St. NW  
Ste 725  
Washington, DC 20005

**RE: ICE FOIA Case Number 2018-ICFO-31995**

Dear Mrs. Himes:

Please see the attached correspondence.

Regards,

ICE FOIA Office  
Immigration and Customs Enforcement  
Freedom of Information Act Office  
500 12th Street, S.W., Stop 5009  
Washington, D.C. 20536-5009  
Telephone: 1-866-633-1182  
Visit our FOIA website at [www.ice.gov/foia](http://www.ice.gov/foia)

U.S. Department of Homeland Security  
500 12<sup>th</sup> St., NW  
Washington, D.C. 20536



**U.S. Immigration  
and Customs  
Enforcement**

May 01, 2018

LisaHimes  
Rogers Joseph O'Donnel, P.C.  
875 15th St. NW  
Ste 725  
Washington, DC 20005

**RE: ICE FOIA Case Number 2018-ICFO-31995**

Dear Mrs. Himes:

This is regarding the processing of your April 17, 2018 Freedom of Information Act (FOIA) request to U.S. Immigration and Customs Enforcement (ICE) seeking records regarding 1) All documents referring or related to Blixseth, Aircraft Tail Number N650GC, or Yellowstone Aviation & Marine. 2) All emails from any and all of former U.S. ICE Director John Morton's e-mail accounts from the period of January 1, 2010 through December 31, 2010, referencing; a. N650GC b. Yellowstone c. Yellowstone Aviation & Marine d. Blixseth..

The FOIA provides for fees that may be assessed to process a FOIA request according to requestor's placement in one of the three fee categories.<sup>i</sup> You have been placed in the Agency/Component category. At this time, I estimate the total search and duplication expenses for processing your request will be \$ 600.00. Since the total estimated fee exceeds \$250.00, you must make an advance payment of \$300.00 before we can begin to process your request. *See* 6 C.F.R. § 5.11(i)(2). Advanced payment must be submitted to this office within ten (10) business days from the date of this letter. Please submit your check or money order in the amount of \$300.00, made payable to the Treasury of the United States, and mail your payment to this office at the following address:

Freedom of Information Act Office  
U.S. Immigration and Customs Enforcement  
500 12<sup>th</sup> Street, SW, Stop 5900  
Washington, DC 20536-5900  
(202) 732-0660 (fax)

In the alternative, you may narrow the scope of your request to reduce the universe of responsive records. If you wish to narrow the scope of your request, please submit an amended request and indicate the processing fee amount you are willing to pay within 10 business days from the date

of this letter. You may send your amended FOIA request to the address above, by facsimile to the number above, or by e-mail at [ICE-FOIA@dhs.gov](mailto:ICE-FOIA@dhs.gov).

Pending your advance payment of \$300.00 or submission of an amended FOIA request, we will toll your request under the provisions of the FOIA. If a check in the amount of \$300.00 or an amended request is not submitted by you within 30 days from the date of this letter, we will assume you are no longer interested in obtaining the requested records and will consider your request withdrawn.

If you have any questions or wish to discuss reformulation or an alternative time frame for the processing of your request, please contact FOIA office. You may send an e-mail to [ice-foia@ice.dhs.gov](mailto:ice-foia@ice.dhs.gov), call free (866) 633-1182, or you may contact our FOIA Public Liaison, Fernando Pineiro, in the same manner. Additionally, you have a right to seek dispute resolution services from the Office of Government Information Services (OGIS) which mediates disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. If you are requesting access to your own records (which is considered a Privacy Act request), you should know that OGIS does not have the authority to handle requests made under the Privacy Act of 1974. You may contact OGIS as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

Your request has been assigned reference number **2018-ICFO-31995**. Please refer to this identifier in any future correspondence. To check the status of an ICE FOIA/PA request, please visit <http://www.dhs.gov/foia-status>. Please note that to check the status of a request, you must enter the 2017-ICFO-XXXXXX or 2018-ICFO-XXXXXX tracking number.

Sincerely,

Catrina M. Pavlik-Keenan  
FOIA Officer

Enclosures: Invoice Number

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<sup>i</sup> See 5 U.S.C. § 552(a)(4)(A)(ii)(I),(II),(III)